IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

O R D E R

S.B.CRIMINAL MISC. PETITION NO. 947/2006
(Uma Ram & Ors Vs. Gopal and Ors.)

Date of Order : 23/08/2006

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. Rajesh Parihar for the petitioners.
Mr. Rakesh Arora for the non-petitioners.

BY THE COURT:-

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioners submit that the petition filed by the non-petitioners Gopal and Ors. under Section 133 Cr.P.C. has already been dismissed vide order dated 24.12.2005. A revision petition was filed by non-petitioners Gopal and Ors. challenging the order dated 24.12.2005 which was not pressed by the counsel for the petitioners therein and while not pressing the petition, learned counsel sought a direction to the trial court to expedite the proceeding under Section 133 Cr.P.C. and on the statement of learned counsel, by order dated 26.5.2006 while dismissing the revision petition filed by the petitioners therein Gopal and Ors., as not pressed, the trial court was directed to

expedite the trial of the main proceeding under Section 133 Cr.P.C. and conclude the same preferably within one year, whereas according to the petition filed by Gopal and Ors., in para 5, it has been stated that the petition has already been dismissed on 24.12.2005. In the circumstances, therefore, inadvertently learned counsel appearing for Gopal and Ors. sought a direction for the disposal of the proceedings which has already been decided on 24.12.2005.

In this view of the matter, the order dated 26.5.2006 passed in S.B.Cr. Revision No.179/2006 be read as "The revision petition is, therefore, dismissed as not pressed." and the direction issued to the trial court to expedite the trial of the main case is recalled.

The petition is accordingly disposed of.

(H.R.PANWAR),J.

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